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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,790	01/16/2004	William J. Beyda	2000 P 09085 US 01	8157

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Elsa Keller  
Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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03/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/759,790	Applicant(s) BEYDA, WILLIAM J.	
	Examiner Olisa Anwah	Art Unit 2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-19 and 21-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

DETAILED ACTION

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15-17, 19, 21-23 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Goldman et al, European Patent Publication No. 0,588,101 (hereinafter Goldman).

Regarding claim 15, Goldman discloses a telecommunications system, comprising:

° a voice message storage and retrieval unit (see unit 46 from Figure 6);

a Caller ID data recording unit configured to record Caller ID data from callers calling said system, the caller ID data including a calling party number (from column 16, see Along or in association with the stored message, a message header can be stored, to contain information such as time, data, and calling party ANI number in the Stored Message Apparatus 46);

an interface configured to transmit the recorded Caller ID data to a remote location when the recorded messages are retrieved (from column 16, see The ANI number of the original caller party number, which was stored in the message header, is placed in the Callback Number register 80); and

a call control system local to a remote caller calling the system and configured to receive the transmitted Caller ID data (from column 17, see The Voice Messaging System 25 uses the PBX network function of transfer calls by sending it the access code for transfer to external number, followed by the number stored in the Callback Number register 80);

wherein said call control system includes a Caller ID storage and retrieval unit configured to cause the transmitted calling party number included in the received Caller ID data to be called by said call control system (from column 17, see This will connect subscriber 21 to the original calling party 31, using trunk 107 ), said call control system being a call control system most closely connected to the remote caller (see Figure 6).

Regarding claim 16, see Figure 6.

Regarding claim 17, see Figure 6.

Regarding claim 19, see Figure 6.

Regarding claim 21, Goldman discloses a telecommunications method, comprising:

recording messages from callers calling an answering device (from column 16, see the calling party can leave a message for subscriber 21 with the Voice Messaging System 25);

recording Caller ID data from the callers calling said answering device, the caller ID data including a calling party number (from column 16, see Along or in association with the stored message, a message header can be stored, to contain information such as time, data, and calling party ANI number in the Stored Message Apparatus 46);

transmitting the recorded Caller ID data to a remote location when the recorded messages are retrieved by a remote caller (from column 16, see The ANI number of the original caller party number, which was stored in the message header, is placed in the Callback Number register 80); and

wherein said transmitting comprises transmitting the recorded Caller ID data to an apparatus in a remote call control system (from column 17, see The Voice Messaging System 25 uses the PBX network function of transfer calls by sending it the

access code for transfer to external number, followed by the  
number stored in the Callback Number register 80); wherein said  
call control system includes a Caller ID storage and retrieval  
unit configured to cause the transmitted calling party number  
included in the received Caller ID data to be called by said  
call control system (from column 17, see This will connect  
subscriber 21 to the original calling party 31, using trunk 107  
) , said call control system being a call control system most  
closely connected to the remote caller (see Figure 6).

Regarding claim 22, see Figure 6.

Regarding claim 23, see Figure 6.

Regarding claim 25, see Figure 6.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which  
forms the basis for all obviousness rejections set forth in this

Office action:

(a) A patent may not be obtained though the invention is not identically  
disclosed or described as set forth in section 102 of this title, if the  
differences between the subject matter sought to be patented and the prior  
art are such that the subject matter as a whole would have been obvious at  
the time the invention was made to a person having ordinary skill in the  
art to which said subject matter pertains. Patentability shall not be  
negated by the manner in which the invention was made.

4. Claims 18 and 24 are rejected under 35 U.S.C § 103(a) as being unpatentable over Goldman in further view of Kang et al, U.S. Patent No. 6,094,475 (hereinafter Kang).

As per claims 18 and 24, Goldman does not explicitly mention the call control system is a wireless carrier system. Regardless, Kang discloses this nifty feature (see Figure 1). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldman with the wireless carrier system of Kang. This modification would have improved the flexibility of Goldman by utilizing any type of switching system as suggested by Goldman (see column 3).

#### ***Response to Arguments***

5. With respect to Goldman, Applicant argues that the remotely transferred number, however, is not itself used to call back the message leaving party. The Examiner respectfully disagrees. Because the number at the Callback Number register is used by the PBX to transfer the call to the calling party and because the Callback Number register is remote<sup>1</sup> from the PBX, Goldman

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<sup>1</sup> On the issue of remoteness, Goldman covers this limitation because the Callback Number register is separated by a distance greater than usual from the PBX.

teaches the remotely transferred number is used to call back the message leaving party.

Applicant also incorrectly alleges that Goldman contains no hint that the number can be transferred to a call control system close to the remote caller. Because Goldman discloses the number is transferred from the Callback Number register to the PBX and because the PBX is close to the remote caller, Goldman teaches the number can be transferred to a call control system close to the remote caller.

#### *Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will



expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah  
Patent Examiner  
February 14, 2008

Olisa Anwah